

State of South Dakota

EIGHTIETH SESSION LEGISLATIVE ASSEMBLY, 2005

870L0830

HOUSE CONCURRENT RESOLUTION NO. 1018

Introduced by: Representatives Hackl, Brunner, Cutler, Davis, Elliott, Frost, Garnos, Haley, Hargens, Hennies, Klaudt, Koistinen, Kroger, McCoy, McLaughlin, Pederson (Gordon), Rausch, Rhoden, Rounds, Sebert, Street, Turbiville, Van Etten, and Willadsen and Senators Peterson (Jim), Bogue, Duenwald, Duniphan, Hansen (Tom), Hundstad, Koskan, Moore, Olson (Ed), and Sutton (Duane)

1 A CONCURRENT RESOLUTION, Requesting South Dakota's Congressional delegation and
2 the United States Congress to support federal multi-emission reduction legislation.

3 WHEREAS, the federal government, state and local governments, communities, and electric
4 power providers have a common interest in assuring compliance with our nation's air quality
5 goals; and

6 WHEREAS, South Dakota is one of only eleven states to meet all of the federal
7 government's ambient air quality standards; and

8 WHEREAS, the Big Stone Power Plant near Big Stone City, South Dakota, is helping to
9 maintain South Dakota's clean air by working with the United States Department of Energy to
10 install and operate an advanced hybrid particulate collector that collects 99.99 percent of the
11 particulate emitted by its coal-fired boiler; and

12 WHEREAS, the South Dakota Legislature is desirous of developing the state's natural
13 resources in an environmentally responsible manner for the benefit of all its citizens; and

14 WHEREAS, electric power providers have significantly reduced air emissions, but



1 additional reductions are needed to help address these air quality goals; and

2 WHEREAS, the Clean Air Act provides for continued reductions in emissions of sulfur
3 dioxide, nitrogen oxides, and mercury from electric power facilities with numerous regulatory
4 decisions mandated over the next two decades that will have unpredictable outcomes; and

5 WHEREAS, implementation of the Clean Air Act's multiple, overlapping requirements
6 could be streamlined to facilitate greater, more efficient, and more certain emission reductions
7 that would reduce litigation that often causes significant delays in achieving air quality goals;
8 and

9 WHEREAS, an opportunity (in the form of the Clear Skies Initiative) exists to adopt a
10 federal, integrated strategy that establishes aggressive, but reasonable, timeframes and reduction
11 targets for the nation's three highest-priority electric power plant emissions – sulfur dioxide,
12 nitrogen oxides, and mercury; and

13 WHEREAS, such a multi-emission strategy will minimize interstate regulatory compliance
14 conflicts, lessen the need for costly, time-consuming litigation, allow for the design and
15 deployment of more cost-effective technologies, and continue the nation's progress for reducing
16 potentially harmful emissions in as cost-effective manner as possible without negatively
17 impacting the reliability of the nation's electric power supplies:

18 NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the Eightieth
19 Legislature of the State of South Dakota, the Senate concurring therein, that the South Dakota
20 Legislature calls upon South Dakota's Congressional delegation and the United States Congress
21 to pass multi-emission legislation in 2005 that significantly reduces emissions of sulfur dioxide,
22 nitrogen oxides, and mercury from electric power generators and helps the nation toward
23 attainment of federal air quality standards without exacerbating imbalances in the natural gas
24 market; and

1 BE IT FURTHER RESOLVED, that the final multi-emission reduction program should
2 maintain and encourage a diverse fuel supply that will benefit states and local communities,
3 consumers, and manufacturers, as well as maintain and promote electric power reliability,
4 availability, and affordability; and

5 BE IT FURTHER RESOLVED, that reductions under such a program should be achieved
6 using an emissions cap-and-trade approach patterned after the successful Clean Air Act acid rain
7 program; and

8 BE IT FURTHER RESOLVED, that the ongoing development of combined heat and power
9 units be encouraged by exempting energy efficient and low-emitting units from multi-emission
10 legislation and allowing them to opt into the program; and

11 BE IT FURTHER RESOLVED, that such a program should streamline Clean Air Act
12 provisions given that sulfur dioxide, nitrogen oxides, and mercury emissions caps will
13 substantially reduce the amount of emissions from electric power facilities; and

14 BE IT FURTHER RESOLVED, that such a program should require strict enforcement by
15 the United States Environmental Protection Agency and strict fines for violations; and

16 BE IT FURTHER RESOLVED, that the South Dakota Legislature supports the Clear Skies
17 Initiative if the final version does not contain carbon dioxide emission regulations or standards,
18 and that the goal of carbon dioxide emission reductions instead be supported through research
19 and encouraged on a voluntary basis.